

REMARKS

Applicant appreciates the Examiner's review of the above-identified patent application and respectfully requests reconsideration and allowance in view of the above amendments and following remarks. Applicant also appreciates Examiner's remarks noting that claims 2-11 contain allowable subject matter, and respectfully requests reconsideration of claim 1 in view of the following remarks.

The Examiner has rejected Claim 1 as being anticipated by U.S. Patent No. 4,463,828 (Anderson). Applicant respectfully transverses this rejection. Applicant submits that Anderson '828 does not disclose or suggest the limitation of "at least one of the inner jaw and the outer jaw" as being "capable of pivoting relative to the 'pair of side members' and the angle bracket". Specifically, Applicant submits that Anderson '828 does not teach, propose or suggest that the front bar 86 of Fig. 2 pivots with respect to side members 82 and 84 of lower shackle 80 as explained in greater detail hereinbelow.

Referring specifically to Fig. 2 of Anderson, it is clear that the aperture in side member 84 into which said front bar is inserted has a cross-section fitting that of said front bar so closely that no significant pivoting of the front bar in the side members would be possible. Further, upon examination of Figs. 7 and 8, and taking into consideration the tight fit between the aperture in side member 84 and front bar 86, front bar 86 could not pivot in the side members 82 and 84.

Fig. 7 shows how lower shackle 80 is rotated in a clockwise direction to bring a ninety degree edge of the square front bar into a position, so as to "bite into the rubberized surface" (pg. 8, lines 46-47) 44 of the pole 40. Fig. 8 shows lower shackle 80 rotated in a counter-clockwise direction from its position in Fig. 7 when the pump jack is being lowered, so that two of the ninety degree edges of front bar 86 are parallel or nearly so.

Then, whenever contact between the front bar 86 and rubberized surface 41 is made, the front bar will not bite into the rubberized surface to the extent that it did in Fig. 7.

For at least these reasons, Applicant submits that Anderson does not disclose or suggest all of the limitations recited in independent claim 1. Accordingly, Applicant submits that, in light of the foregoing, the rejection of claim 1 has been overcome and as such, should be in condition for allowance. Further, Applicant respectfully submits that the objection to claims 2 to 4 has been rendered moot.

The Examiner is invited to telephone the undersigned, Applicant's Attorney of Record, to facilitate advancement of the present application.

Respectfully submitted,

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